

### REMARKS

Favorable reconsideration of this application, in view of the present amendments and in light of the following discussion, is respectfully requested.

After entry of this amendment, Claims 1, 3-7, 9-12, and 14-15 are pending. Claims 1, 3-7, and 9-14 are amended, Claims 2 and 8 are canceled without prejudice or disclaimer and Claim 15 is newly added. No new matter is introduced.

In the outstanding Office Action, the Information Disclosure Statement filed August 30, 2006 was objected to; Claim 13 was rejected under 35 U.S.C. § 101; Claims 1, 13, and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Agrawal et al. (U.S. Patent No. 5,623,483, hereafter "Agrawal") in view of Florencio et al. (U.S. Patent Application Publication No. 2005/0058145, hereafter "Florencio") and Okada et al. (U.S. Patent No. 5,809,454, hereafter "Okada"); Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Okada in view of Agrawal and Florencio; and Claims 2-6 and 8-12 were objected to for depending from rejected base claims but otherwise indicated as allowable.

The indication of allowable subject matter is gratefully acknowledged. For the reasons below, all pending claims are now believed to be in condition for formal allowance.

Initially, Applicants note that the Statement of Relevance included in the Information Disclosure Statement filed August 30, 2006 identifies all references submitted therein. Thus, it is believed that the Information Disclosure Statement filed August 30, 2006 complies with the provisions of 37 C.F.R. § 1.97, § 1.98 and with MPEP § 609. Further, the Examiner has indicated that all references filed in the Information Disclosure Statement of August 30, 2006 have been considered insofar as the Examiner has initialed each reference on Form PTO-1449. Thus, it is respectfully requested that the objection to the Information Disclosure Statement of August 30, 2006 be withdrawn.

As to the rejection of Claim 13 under 35 U.S.C. § 101, Claim 13 is canceled without prejudice or disclaimer, rendering this rejection moot.

In response to the indication of allowable subject matter, and to expedite the issuance of a patent from the present application, Claim 1 is amended to incorporate the allowable subject matter of Claim 2, Claim 7 is amended to incorporate the allowable subject matter of Claim 8, and Claims 5 and 11 are recast in independent form. Claims 2 and 8 are also canceled without prejudice or disclaimer. Thus, it is believed that Claims 1-2, 5, 7 and 11 are in condition for allowance together with any claims depending therefrom.

Moreover, Claim 14 recites features substantially similar to those recited in amended Claim 1, and is thus believed to be in condition for allowance for substantially similar reasons. Accordingly it is respectfully requested that the rejections of Claims 1, 7, 13 and 14 under 35 U.S.C. § 103(a) be withdrawn.

New Claim 15 recites subject matter indicated as allowable in the outstanding Office Action, and is therefore also believed to be in condition for allowance.

For the reasons discussed above, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance for Claims 1, 3-7, 9-12, and 14-15 is earnestly solicited.


Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, L.L.P.

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413-2220  
(OSMMN 08/09)

  
James J. Kulbaski  
Attorney of Record  
Registration No. 34,648

Aldo Martinez  
Registration No. 61,357